

## THOMAS AND MARGARET TODD



Thomas Todd Sr. was born January 28, 1821, in Scotland, son of John and Marion Lorimer Todd.

He married Margaret Shankland in January, 1850, on her twenty-fifth birthday, and moved to Heber City in May, 1860.

In 1900 they celebrated their fiftieth wedding anniversary.

Margaret Todd died in 1907, in her eighty-third year, and in 1909, Thomas Todd passed away, being 88 years of age.

Nine children were born to this couple: John, James, Thomas Jr., Margaret, Marion Jane, Isabelle Helen, Sarah Ann, John M. Murdoch and David Alexander.

As he recalled his early childhood, he was most impressed by the deep religious convictions of his parents. Throughout his life he gave expression to the love he held for his brothers and sisters. They, too, in their letters to him were continually expressing their love for him and for each other.

He was reared in an atmosphere of strict adherence to prayer and in promptness and orderliness. These characteristics he never deserted.

Thomas Todd was a farmer, as was his father, working often as a servant plowman.

He was in his early twenties when he began work in public service. It was at this

## HEBER BIOGRAPHIES

time that he, along with some other young men, assisted in establishing a library in the town of Tinwald.

In January, 1850, he was married to Margaret Shankland, second daughter of James Shankland and Margaret Cummin of Durnisdeer, Dumfriesshire, Scotland, in her twenty-fifth year.

These two young people had much in common in the similarity of their early training. Both had been taught stern adherence to their religious convictions. Both were trained to be industrious, true and meticulously neat and orderly. These virtues characterized their whole lives.

During the summer of the year of their marriage they accepted the teachings of The Church of Jesus Christ of Latter-day Saints.

Four years later, Thomas Todd, his wife Margaret and their two sons sailed from Liverpool on the ship "John M. Wood," landing in New Orleans in eight weeks. From there they took a river boat up the Mississippi to St. Louis, then on to Kansas, where they made preparations to make a land journey of 1,200 miles by ox team.

Thomas Todd was appointed to take charge of 10 wagons across the plains. There were 10 persons to a wagon. That long journey across the plains lasted three months, lacking one day, and they reached Salt Lake Valley on October 1, 1854.

Immediately after his arrival he made arrangements with Brother Levi Savage to work his land on shares. He planted  $9\frac{1}{2}$  acres of wheat before the winter storms came.

The following spring, 1855, his fields looked good, but the grasshoppers came again and destroyed fields far and near. Thomas and Margaret were successful in saving a part of their wheat.

When the grain was ripe the two of them pulled the whole of their crop by hand. Half of this harvest belonged to the land owner. They were happy to have their  $19\frac{1}{2}$  bushels of wheat.

In the fall of 1857 he bought a cow, the "first cow I ever owned," he said. They sold bedding to raise the \$40 to pay for it.

Shortly after this, Thomas Todd was called to Echo Canyon when Johnston's army was on its way to Utah. He was 66 days before returning to Salt Lake City. Again, in the early spring, he was called to

go to Echo Canyon and Lost Station as a captain of 50 men. This time they were out about four months, until the close of the Utah war. While he was away his family was moved to Spanish Fork, to the home of James Laird.

When his release came he went to Spanish Fork, where he bought a lot for \$10. Here he built a two-room house.

The Todd family made their next and last big move in May, 1860, when they came to Heber City in the beautiful Provo Valley. Thomas had previously taken up some land and fenced it, planting five or six acres in wheat.

It was during the following year that Fort Sumpter was surrendered to the Confederate army and, as in other communities of our nation, the state militia was organized. John Wesley Witt was appointed major and Thomas Todd was appointed first captain of the infantry in C company.

He served two terms as selectman, one beginning in 1862 and the other in 1871. He was appointed road supervisor, a job he held many years. Later he was made county road commissioner. It was his opportunity to sign, with others, the peace treaty to settle the Indian troubles with Old Tabby.

Thomas Todd never wavered in his testimony of the gospel. He was ever ready to fill his calling in this capacity.

He presided over the teachers in the Sixth Ward in Salt Lake City and was later ordained a Seventy.

In Spanish Fork he was a teacher in the Quorum of Seventy, and when he came to Heber was first counselor in the High Priests' Quorum. Later he acted as first counselor to two bishops.

He was a very good singer and led the Heber choir many years.

The custom of a 24-gun salute at sunrise as a commencement to a celebration of the Fourth of July was under the direction of Thomas Todd through the years.

With all his activities in public life, his greatest achievement was in his home, along with his good wife. Thomas and Margaret were the parents of eight children, men and women of integrity. They lived in a home of love, understanding and fairness to each other.

Their lovely home, with its beautiful

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flowers and well-kept garden, was their joy. Many a rare plant was nurtured to bloom and it was in this garden that the first rose bushes in Provo Valley were planted.

Their home was made attractive with Margaret Todd's handiwork. In addition to being an excellent housekeeper, she was a wonderful cook and a gracious hostess. She was an artist in her selections and a perfectionist in her skills in the home arts of her time.

This hard-working couple had little patience with lazy or shiftless people, but were ever ready to help any who came their way. They extended the hand of fellowship to many who needed their blessing.

In 1900 they celebrated their fiftieth wedding anniversary with an open house in their home.

Margaret Todd died in 1907, in her eighty-third year, and two years later her devoted husband passed away, when he was 88 years of age.

With the establishment of a county, officers were needed to administer judicial affairs. John W. Witt was elected probate judge by the Territorial Legislature and on February 22, 1862 he conducted the first session of county court. The minutes of the first meeting are as follows:

# REPORT OF THE COUNTY COURT OF WASATCH COUNTY IN THE TERRITORY OF UTAH

Special Term

John W. Witt, Presiding

The judge organized the county court by appointing the following officers: Thos. Todd, James Duke and John H. Van Wagöner, selectmen.

The court then proceeded to appoint John Harvey, assessor and collector; Snelling M. Johnson, sheriff; John M. Murdock, treasurer; John Sessions, surveyor; Thos. H. Giles, superintendent of common schools.

The court then divided the county into precincts as follows:

All that portion of country on the east side of Provo River hereby declared precinct No. 1 and all that portion of Provo valley on the west side of Provo River shall be called precinct No. 2. The court then appointed the following precinct officers: Thos. Aarban, justice of the peace for precinct No. 1; Zemira Palmer, constable. Norton Jacobs, justice of the peace for precinct No. 2; Sidney Epperson, constable.

Court adjourned until the first Monday in March next.

Judges fees .....	\$3.00
Selectmen .....	4.50
Clerks .....	2.50

\$9.50

(signed)

J. W. WITT  
Judge

THOMAS TODD  
Selectman

CHAS. SHELTON  
Clerk

When the names of county officials were presented to Brigham Young, acting governor of the territory, the name of John Hamilton was substituted for that of Snelling M. Johnson as sheriff, so Mr. Hamilton was actually the first sheriff of the county. The position of selectman was comparable to that of county commissioner today.

John W. Witt's term as probate judge continued until 1888, during which time many important events transpired in the county.

According to John Crook's journal the population in the valley at the time of county organization was over 1,000 persons. The largest

elected by the voters; a county school superintendent, appointed by the court; an assessor and collector, appointed by the court; a recorder, elected by voters; a surveyor, appointed by the court; a prosecuting attorney, elected by the Legislature; a sheriff, elected by the people; a Justice of Peace and coroner, and two constables for each precinct, elected; an estray pound keeper for each precinct, elected; two fence viewers in each precinct, elected; a road commissioner, appointed by the court and precinct road supervisors to be elected in each precinct.

The Legislature elected John W. Witt as probate judge in the county and on February 22, 1862, Judge Witt organized the county organization as follows: Selectmen, Thomas Todd, James Duke and John H. Van Wagöner; assessor and collector, John Harvey; Sheriff, Snelling M. Johnson; treasurer, John M. Murdoch; surveyor, John Sessions and Thomas H. Giles, superintendent of common schools.

The court divided the county into two precincts. All the area east of the Provo River was placed in Precinct No. 1 and Thomas Rasband was appointed Justice of the Peace with Zemira Palmer as constable. Precinct No. 2 was all the area west of the Provo River, and Horton Jacobs was named Justice of the Peace. Sidney Epperson was constable. Clerk of the court was Charles Shelton.

Until the time of statehood the county court headed by the Probate Judge constituted the chief legal power of the county. By act of Congress the Probate Judge was also a key figure in land titles, having power to enter claims in the U.S. Land Office and receive titles in return for those inhabiting the lands. Many land titles today are still traced back to a deed from the old probate judges.

With the passage of time the probate judge and the county court were weakened as state and federal governmental bodies began to centralize their controls. In 1864 the Federal Government restricted the legal power of the Probate Court to the settlement of estates, guardianships and divorce matters.

Additional responsibilities for the Probate or County Court came in 1872 when the selectmen were appointed by the Legislature to erect a county jail and act as directors of the establishment, and in 1878 when the court was appointed as a Board of Equalization to adjust tax assessments and appoint election judges for each precinct.

In 1880, however, provisions of the Edmunds-Tucker Act made the office of Probate Judge an appointment of the President of the United States and transferred all divorce actions from the probate to district court. Election laws were also changed, taking power away from the probate court. The office of county clerk was made an elective position in 1888 and in that same year the precinct and county road offices were consolidated into the office of District Road Supervisor.

The most drastic changes in county government came in 1896 when